

NUTRITION SERVICES DIVISION MANAGEMENT BULLETIN		No. 01-206
TO:	Child and Adult Care Food Program Day Care Home Sponsors	ISSUE DATE: September 2001
ATTENTION:	Agency Directors	
SUBJECT:	Questions and Answers from the U.S. Department of Agriculture	
REFERENCE:	All Points Bulletin: CAC-01-11	

The following are U.S. Department of Agriculture (USDA), Food and Nutrition Service, Western Region Office responses to recent questions received:

- 1) When a new provider submits an Income Eligibility Statement, is Tier I determination retroactive to the first day of claiming if the application is received at the end of the month?**

Answer: No, not unless the Tier I determination is made during that same month. The date of the eligibility determination is what counts, not the receipt date of the application (APB:CACFP-97-14).

- 2) If eligibility determination for households with children enrolled in Tier II homes is made at the end of the first claiming month, is the applicant Income Eligibility Statement retroactive to the first day the child is claimed?**

Answer: Yes, for the same reason as above (APB:CACFP-97-14).

- 3) Are all household members necessarily included in the family size if they don't pool income with the provider's family?**

Answer: If certain household members are financially independent from the other members residing in the same household, they are considered separate economic units and would not be counted in family size (Child and Adult Care Food Program: Eligibility Guidance for Family Day Care Homes, page 29; Child and Adult Care Food Program: Eligibility Guidance for Centers, page 10).

- 4) Is Head Start an expanded categorical program for qualifying children enrolled in Tier II day care homes?**

Answer: Yes. Head Start is a federal categorically eligible program when federally-funded Head Start participants are enrolled on the basis of a determination that the family meets Head Start's low-income criteria. Children participating in state-funded Head Start slots and children enrolled in non-low income federal slots are excluded (APB:CACFP-97-15; APB:CACFP-97-18).

- 5) Is it ever acceptable to use intermediate school data to determine eligibility?**

Answer: No, intermediate school data cannot be used to determine eligibility under any circumstances. However, because California defines an elementary school as any school maintaining two or more of grades 1 through 6, inclusive, data from grades higher than sixth may be used as long as they are part of an elementary school (California Education Code Section 52001[i]).

6) Are dates on welfare forms required for providers using their own income to qualify for Tier I benefits?

Answer: Yes, dates are required to determine current certification. Once verified that the provider is currently certified, eligibility is good for one year, though not guaranteed. The provider must notify the sponsor when benefits cease (Child and Adult Care Food Program: Eligibility Guidance for Family Day Care Homes, pages 8-10).

7) If state licensing will not license homes that care for only two children, how would they be eligible to participate in CACFP?

Answer: Day care home providers must be licensed in order to participate in the CACFP in California, with the exception of “trustline” providers. Trustline providers are unlicensed and may care for the children of one other family. They must be chosen by a parent who receives the Alternative Payment Benefits through the Federal Child Care and Development Block Grant funds (Child and Adult Care Food Program: Day Care Homes Handbook, Oct. 1994, page 9).

8) Is there any guidance on the monitor-to-homes ratio?

Answer: We will issue further guidance on this topic when USDA makes it available. In the interim, Public Law 106-224, section 243(a)(6)(B)(ii) and the CACFP Management Plan Evaluation Guide (page 39) encourage state agencies to review the sponsor’s monitoring policies and determine if the monitoring plan is realistic in terms of the number of visits each monitor will have to conduct to meet the requirements and ensure effective oversight of program operations. A realistic plan will allow monitors to conduct all required visits in a timely manner and within reasonable workload constraints.

9) How can a sponsor remove its name from the USDA disqualified list?

Answer: We will issue further guidance when USDA makes it available. In the interim, sponsors can submit documentation to the Nutrition Services Division (NSD) demonstrating resolution of all issues surrounding termination, payment of debts, and implementation of procedures to prevent future deficiencies. NSD will make a determination and forward their recommendation to USDA for review and concurrence.

10) Is there more guidance on the Board of Directors?

Answer: As stated in the CACFP Management Plan Evaluation Guide (page 33), the institution’s policies and procedures must comply with applicable state rules on governing boards. All private nonprofit agencies must be incorporated in the State of California and have a governing board consisting of at least one director and three officers. The majority of the board members (51 percent) must be disinterested persons (i.e., not related to or employed by the agency). If a board member receives compensation from the organization (as a board member), this is known as, “a self-dealing transaction.” Such transactions are a conflict of interest and are not allowed. They include payment of a salary, contract fee or commission, or other benefits of material economic value from the agency, or to a corporation or partnership in which a director has a material financial interest (California Department of Education Day Care Home Sponsors Manual, Section 220).

If you have any questions, please contact your NSD Representative directly or the NSD at (916) 323-4558 or (800) 952-5609.

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